

City Council
Atlanta, Georgia

02- 0 -0060

AN ORDINANCE
BY: ZONING COMMITTEE

Z-01-94/Z-93-38

AN ORDINANCE TO AMEND ORDINANCE Z-93-38, AS AMENDED,
ADOPTED BY THE CITY COUNCIL DECEMBER 20, 1993 AND
APPROVED BY THE MAYOR DECEMBER 27, 1993, REZONING
FROM THE I-1 (LIGHT INDUSTRIAL) DISTRICT TO THE C-5-C
(CENTRAL BUSINESS SUPPORT-CONDITIONAL) DISTRICT, PROPERTY
LOCATED AT **NORTHSIDE DRIVE/NELSON STREET/HAYNES
STREET/PETERS STREET/MCDANIEL STREET, S.W. (CASTLEBERRY
HILL)** FOR THE PURPOSE OF APPROVING A CHANGE OF CONDITIONS.
OWNER: VARIOUS
APPLICANT: HERMAN J. RUSSELL
BY: MICHELLE L. BATTLE
NPU-M COUNCIL DISTRICT 3

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, as follows:

SECTION 1. That the Ordinance Z-93-38, adopted by the City Council December 20, 1993 and approved by the Mayor December 27, 1993, rezoning from the I-1 (Light Industrial) District to the C-5-C (Central Business Support-Conditional) District, property located at Northside Drive/Nelson Street/Haynes Street/Peters Street/McDaniel Street, S.W. (Castleberry Hill) is hereby amended as follows:

That part of the property zoned to the C-5-C (Central Business Support-Conditional) District by Ordinance Z-93-38, which is now known as **466-470-478-482 Nelson Street, S.W. and 453-457-461-467-469-475-479-483 Stonewall Street, S.W.** and which is more particularly described by the attached legal description identified as Exhibit A, shall no longer be subject to Condition #6 of Ordinance Z-93-38 which reads as follows:

“Front yard setback and side yard setback shall be zero.”

SECTION 2. That all other conditions approved by Ordinance Z-93-38, a copy of which is herein attached for reference purposes only, shall remain in full force and effect.

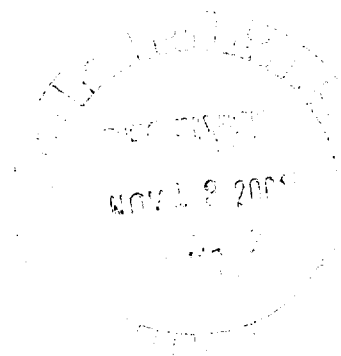
SECTION 3. That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

LEGAL DESCRIPTION

NELSON STREET LOFTS

All that tract or parcel of land lying and being in Land Lot 84 of the 14th District of Fulton County, Georgia, and being more particularly described as follows:

Beginning at a ½ inch rebar set at the intersection of the southeasterly right-of-way of Northside Drive (R/W varies) and the southerly right-of-way of Nelson Street (50' R/W); thence running along said right-of-way of Nelson Street the following courses and distances: North 75 degrees 13 minutes 28 seconds East a distance of 108.92 feet to a ½ rebar set; North 75 degrees 23 minutes 02 seconds East a distance of 54.61 feet to a ½ rebar found; thence North 75 degrees 00 minutes 33 seconds East a distance of 68.52 feet to a ½ rebar found; thence leaving said right-of-way a running South 10 degrees 30 minutes 53 seconds East a distance of 106.38 feet to a point; thence North 87 degrees 44 minutes 39 seconds East a distance of 149.70 feet to a point; thence South 02 degrees 15 minutes 21 seconds East a distance of 10 feet to a ½ rebar set; thence South 12 degrees 00 minutes 55 seconds East a distance of 142.00 feet to a ½ rebar set on the northerly right-of-way of Stonewall Street (40' R/W); thence running northwesterly along the northerly right-of-way of Stonewall Street the following courses and distances: North 78 degrees 58 minutes 35 seconds West a distance of 150.50 feet to a ½ rebar set; North 78 degrees 41 minutes 21 seconds West a distance of 200.70 feet to a 1 inch crimp top pipe found; thence leaving said right-of-way a running North 05 degrees 08 minutes 24 seconds East a distance of 77.70 feet to a 1 inch open top pipe found; thence North 61 degrees 32 minutes 25 seconds West a distance of 9.50 feet to a ½ rebar set on the easterly right-of-way of Northside Drive; thence running northeasterly along the easterly right-of-way of Northside Drive North 32 degrees 44 minutes 50 seconds East a distance of 45.67 feet to a ½ rebar set and the point of beginning.



2-01-94/2-93-38

Exhibit A

Municipal Clerk
Atlanta, Georgia

93-0-1325

SUBSTITUTE ORDINANCE
BY: ZONING COMMITTEE

Z-93-38
10-7-93

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA,
as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended and the maps established in connection therewith be changed so that the following property located at Northside Drive/Nelson Street/Haynes Street/Peters Street/McDaniel Street, S.W. (Castleberry Hill) be changed from I-1 (Light Industrial) District, to C-5-C (Central Business Support-Conditional) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lots 84 & 85 of the 14th District, Fulton County, Georgia, being more particularly described by the attached plat.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta entitled, "Conditional Development," as identified by the use of the suffix "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

Z-01-94/Z-93-38

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ADOPTED by City Council December 20, 1993
APPROVED by the Mayor December 27, 1993

A true copy.
Olivia P. Woods

Conditions for Z-93-38

1. All contributing structures to the National Register District must be preserved.
2. Any new modification to the facade of any building shall require the approval of the Atlanta Urban Design Commission.
3. New structures shall require the approval of the Atlanta Urban Design Commission.
4. No building shall exceed the maximum building height of others in the same block.

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11/4/93

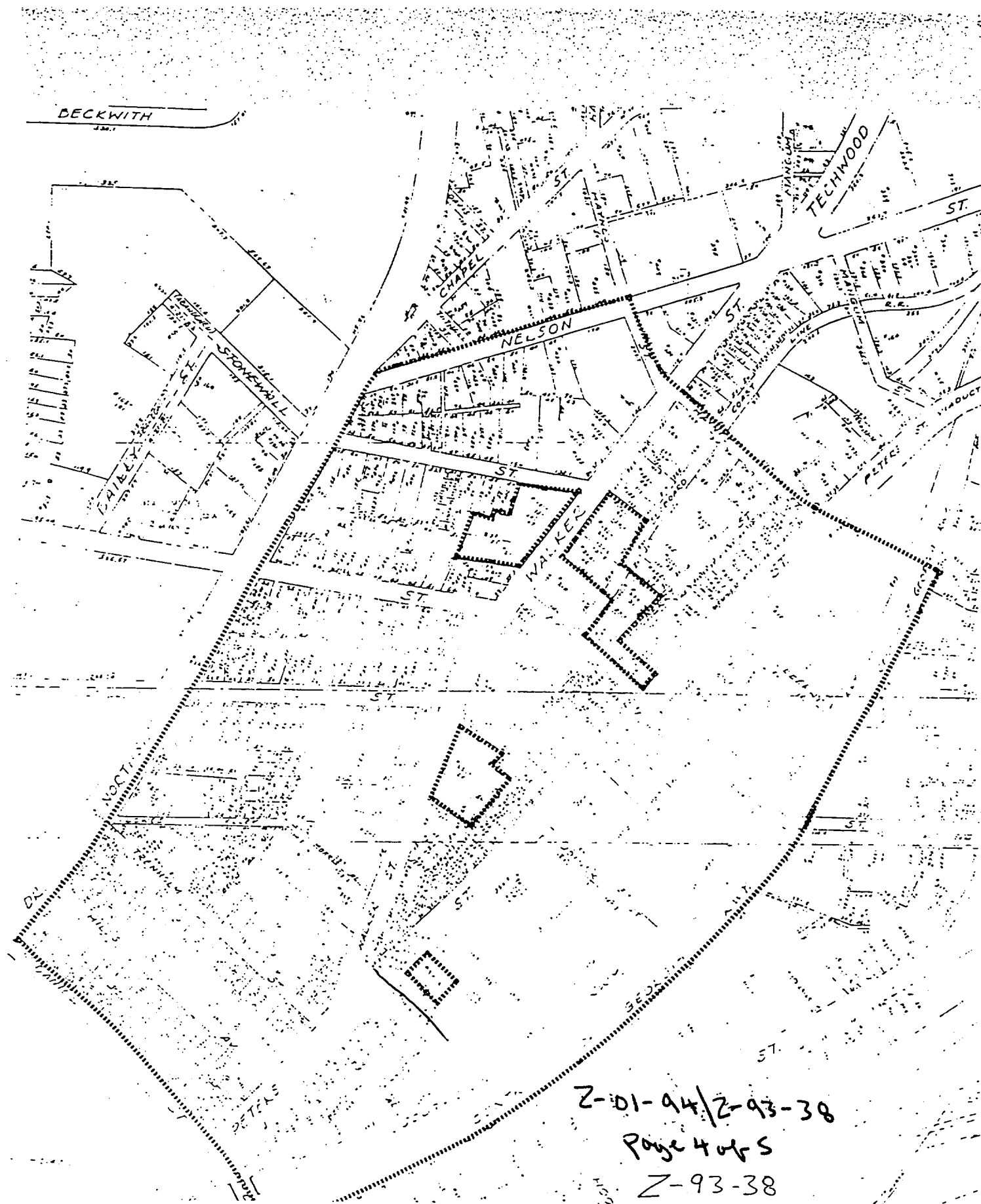
Amendment

Amend the substitute ordinance to add the following additional conditions:

5. The Atlanta Urban Design Commission shall have the authority to grant height variances for those buildings whose height exceeds the maximum building heights of others on the same block.
6. Front yard setback and side yard setback shall be zero.
7. The floor area ration (F.A. R.) shall not exceed 3.0.

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RCS# 2888
12/20/93
9:10 PM

ATLANTA CITY COUNCIL

First Regular Session

93-O-1325

REZONE NORTHSIDE DR/NELSON ST FROM I-1 TO C050C

Adopt

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 8
EXCUSED: 0

Y CAMPBELL	Y DAVIS, M	NV MARTIN	NV BANKS	NV FINLEY
NV SIMAMA	NV FOWLKES	Y MADDOX	Y BROWN	NV ARRINGTON
Y CUFFIE	Y MULLER	Y SMITH	NV ASHER	Y PRIDGEON
Y JOHNSON	NV SAMPLES	Y PITTS	Y DAVIS, M.R.	

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02-0-0060
(Do Not Write Above This Line)

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- ☐ CONSENT REFER ☒ *per paper*
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER

Date Referred 1/7/02

Referred To: *388 & 390*

First Reading
Committee _____
Date _____
Chair _____

Committee
Date
Chair
Action:
Fav, Adv, Held (see rev. side)
Other:
Members

COUNCIL ACTION
☐ 2nd ☐ 1st & 2nd ☐ 3rd
Readings
☐ Consent ☐ V Vote ☐ RC Vote

CERTIFIED

Committee
Date
Chair
Action:
Fav, Adv, Held (see rev. side)
Other:
Members
Refer To

MAYOR'S ACTION

Committee
Date
Chair
Action:
Fav, Adv, Held (see rev. side)
Other:
Members
Refer To